THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.5160 of 2007

Between:

Sri G.Ranga Reddy.

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PETITIONERS

and

The Commissioner of Police,
and others.

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RESPONDENTS

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ORDER:

It is the case of the petitioner that he is the absolute owner and possessor of premises bearing No.3-4-149, admeasuring 675 sq. yards, situated at Lingampally, Hyderabad.

The suit filed by the petitioner in O.S.No.712 of 1989 on the file of II Senior Civil Judge, City Civil Court, Hyderabad, seeking to set aside the order of the 2nd defendant passed in O.A.No.38 of 86, dated 31-08-1989, was decreed by judgment and decree, dated 15-12-2000, holding that the petitioner has perfected his title over the suit schedule property by adverse possession and that the order of the 2nd defendant is set aside.

Inspite of the said decree, the District Collector, Ranga Reddy District and the Mandal Revenue Officer, Himayathnagar Mandal, Himayathnagar, Hyderabad, were started interfering with the peaceful possession and enjoyment of the property in question. Therefore, the petitioner filed W.P.No.1241 of 2007 before this court. This court in W.V.M.P.No.314 of 2007 and W.P.M.P.No.1577 of 2007 in W.P.No.1241 of 2007 granted interim direction and the vacate stay petition filed by the Government was dismissed directing them not to interfere with the peaceful possession and enjoyment of the property in question by order, dated 13-02-2007, and the said writ petition is still pending.

While so, some unsocial elements started interfering with his peaceful possession and enjoyment of the property in question and also trying to encroach upon the said land by dispossessing the petitioner forcibly. Therefore, the petitioner made a representation before the 4th respondent on 05-03-2007, marking copy to the 2nd and 3rd respondents, requesting to provide necessary police protection to protect his property. But, the 4th respondent has not taken any action so far.

I am of the opinion that wherever the civil rights have been settled finally and if there is no dispute with regard to the title of immovable property and if there is any threat of dispossession or interference with the civil rights of any private citizen, it is the duty of the police to give necessary police protection to protect the property of any citizen.

Having regard to the facts and circumstances of the case, the 2nd and 3rd respondents are directed to consider and dispose of the representation, dated 05-03-2007, and take appropriate action, in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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15-03-2007

Note:
Issue C.C. in two days
(B/o)
Prv